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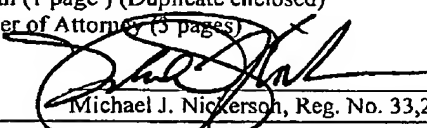
DT07 Rec'd PGT/PTO FEB 15 2005 FEB 2005

Patent Application Number: 10/502,101  
Attorney Docket Number: 1110 006 301 02 02

Certificate of Facsimile: I hereby certify that the correspondence listed below is being facsimile transmitted to the United States Patent and Trademark Office on February 15, 2005 to facsimile number 703-872-9306.

Notification of Missing Requirements ( 2 pages )  
Response to Missing Requirements ( 1 page ) (Duplicate enclosed)  
Petition for Extension of Time 1 Month ( 1 page ) (Duplicate enclosed)  
Newly Executed Declaration and Power of Attorney ( 3 pages )

Date: February 15, 2005

  
Michael J. Nickerson, Reg. No. 33,265

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Giovanni BERTI

GROUP: Unknown

SERIAL NO: 10/502,101

EXAMINER: Unknown

FILED: July 20, 2004

FOR: Diffractometer and Method for Diffraction Analysis

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States  
Designated / Elected Office (DO/EO/US)

In response to the NOTICE TO FILE MISSING PARTS, dated December 8, 2004, attached please find:

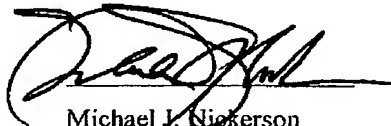
1. Newly executed Declaration and Power of Attorney for Patent Application (3 pages)
2. A copy of the Notification of Missing Requirements (2 pages)
3. Petition for Extension of Time Under 37 CFR 1.136(a) ( 1 page – Duplicate Enclosed)

Please charge the required \$65.00 late oath or declaration surcharge for a small entity to Basch & Nickerson LLP Deposit Account 50-2737.

Date: February 15, 2005

02/18/2005 MKAYPAGH 00000077 502737 10502101

01 FC:2617 65.00 DA



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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22303-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/502,101	Giovanni Berti	1110 006 301 0202

INTERNATIONAL APPLICATION NO.

PCT/EP03/00546

I.A. FILING DATE

01/21/2003

PRIORITY DATE

01/21/2002

37211

BASCH & NICKERSON LLP  
1777 PENFIELD ROAD  
PENFIELD, NY 14526

CONFIRMATION NO. 8536

371 FORMALITIES LETTER

\*OC000000014888840\*

Date Mailed: 12/08/2004

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

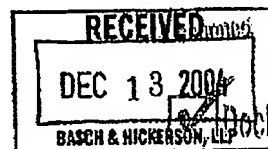
The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/20/2004
- Copy of the International Search Report filed on 07/20/2004
- Copy of IPE Report filed on 07/20/2004
- Preliminary Amendments filed on 07/20/2004
- Information Disclosure Statements filed on 07/20/2004
- Oath or Declaration filed on 07/20/2004
- Small Entity Statement filed on 07/20/2004
- Request for Immediate Examination filed on 07/20/2004
- U.S. Basic National Fees filed on 07/20/2004
- Priority Documents filed on 07/20/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - Is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$85 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:



Page 2 of 2

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 305-3686

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/502,101	PCT/EP03/00546	1110 006 301 0202

FORM PCT/DO/EO/905 (371 Form) (Notice)